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Attorney's Docket No. 080743-235-001

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: VAN DEN BERG, et al.  
Serial No.: 10/007,275  
Filed: 10/26/2001  
For: METHOD FOR INHIBITING CELL FUNCTIONING FOR USE IN  
ANTI-INFLAMMATORY AND ANTI-TUMOR THERAPIES

COMPLETION OF FILING REQUIREMENTS

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

(check and complete this item, if applicable)

- I. ☒ This replies to the Notice to File Missing Parts of Nonprovisional Application mailed January 10, 2002.
- ☒ A copy of the Notice to File Missing Parts of Nonprovisional Application is enclosed.

DECLARATION OR OATH

- II. ☒ No declaration or oath was filed. Enclosed is the original declaration or oath for this application.

OR

- ☐ The declaration or oath which was filed was determined to be defective. A new original oath or declaration is attached.

CERTIFICATE OF MAILING

I hereby certify that this correspondence is, on the date shown below, being:

MAILING

☒ deposited with the United States Postal Service under 37 C.F.R. § 1.8 on the date indicated below and is addressed to the Assistant Commissioner of Patents, Attn: Box Missing Parts, Washington, D.C. 20231

Date: February 8, 2002

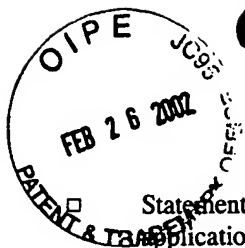
FACSIMILE

☐ transmitted by facsimile to the  
the U.S. Patent and Trademark Office

Signature

Merri C. Merrill  
(type or print name of person certifying)

Attached is a



(complete (c) or (d), if applicable)

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- (c) ☐ Statement by a registered attorney that the application filed in the PTO is the application which the inventor executed by signing the declaration.
- (d) ☐ Statement that the "attached" specification is a copy of the specification and any amendments thereto which were filed in the PTO to obtain the filing date.

#### AMENDMENT CANCELING CLAIMS

- III. ☐ Cancel claims \_\_\_\_\_ inclusive.

#### TRANSMITTAL OF ENGLISH TRANSLATION OF NON-ENGLISH LANGUAGE PAPERS

- IV. ☐ Submitted herewith is a verified English translation of the non-English language application papers as originally filed. It is requested that this translation be used as the copy for examination purposes in the PTO.

#### SMALL ENTITY STATUS

- V. ☐ A verified statement that this filing is by a small entity

(check and complete applicable items)

- ☐ is attached
- ☐ A separate refund request accompanies this paper.
- ☐ was filed on \_\_\_\_\_ (original)



## COMPLETION FEES

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VI.  
**WARNING:** Failure to submit the surcharge fees where required will cause the application to become abandoned. 37 CFR 1.53(d).

1. Filing fee

- ☐ original patent application (37 CFR 1.16(a)—\$730.00;  
small entity—\$365.00 \$
- ☐ design application (37 CFR 1.16(f)—\$300.00;  
small entity—\$150.00 \$
- \$

2. Fees for claims

- ☐ each independent claim in excess of 3 (37 CFR 1.16(b)—  
\$76.00; small entity—\$38.00) \$
- ☐ each claim in excess of 20 (37 CFR 1.16(c)—\$22.00;  
small entity—\$11.00) \$
- ☐ multiple independent claim(s) (37 CFR 1.16(d)—\$240.00;  
small entity—\$120.00) \$
- \$

3. Surcharge fees

- ☐ late payment of filing fee and/or
- ☒ late filing of original declaration or oath  
37 CFR 1.16(e)—\$130.00; small entity—\$65.00; **\$65.00**

4. ☐ Petition and fee for filing by other than all  
the inventors  
or a person not the inventor  
(37 CFR 1.17(h) and 1.47—\$130.00) \$

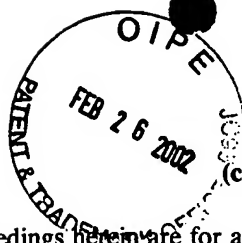
5. ☐ Fee for processing an application filed with a  
specification in a non-English language  
(37 CFR 1.17(k) and 1.52(d)—\$130.00) \$

6. ☐ Fee for processing and retention of application  
(37 CFR 1.21(l) and 1.53(d)—\$300.00) \$

7. ☐ Assignment (See "ASSIGNMENT COVER SHEET".)

Total completion fees \$65.00

VII.



# EXTENSION OF TIME

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(complete (a) or (b as applicable)

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136(a) apply.

- (a) ☐ Applicant petitions for an extension of time, the fees for which are set out in 37 CFR 1.17(a)-(d) for the total number of months checked below:

Extension (months)	Fee for other than small entity	Fee for small entity
<input type="checkbox"/> one month	\$ 110.00	\$ 55.00
<input type="checkbox"/> two months	\$ 400.00	\$ 200.00
<input type="checkbox"/> three months	\$ 950.00	\$ 475.00
<input type="checkbox"/> four months	\$1,510.00	\$ 755.00

Fee \$

If an additional extension of time is required please consider this a petition therefor.

(check and complete the next item, if applicable)

- ☐ An extension for \_\_\_\_\_ months has already been secured and the fee paid therefor of \$ \_\_\_\_\_ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$ \_\_\_\_\_

or

- (b) ☐ Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

## TOTAL FEE DUE

VIII.

The total fee due is

Completion fee(s)	\$65.00
Extension fee (if any)	\$ 0

TOTAL FEE DUE \$65.00

## PAYMENT OF FEES

IX.

- ☒ Enclosed is a check(s) in the amount of \$65.00
- ☐ Charge Account No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_  
A duplicate of this request is attached.

AUTHORIZATION TO CHARGE ADDITIONAL FEES

X.

**WARNING:**

*Accurately count claims, especially multiple dependant claims, to avoid unexpected high charges if extra claims are authorized.*

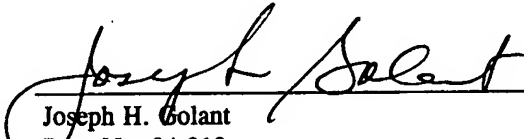
- ☒ The Commissioner is hereby authorized to charge the following additional fees which may be required by this paper and during the pendency of this application to Account No. 10-1202\_
- ☒ 37 CFR 1.16(a), (f) or (g) (filing fees)
  - ☒ 37 CFR 1.16(b), (c) and (d) (presentation of extra claims)
  - ☒ 37 CFR 1.16(e) (surcharge for filing the basic filing fee and/or declaration on a date later than the filing date of the application)
  - ☒ 37 CFR 1.17 (application processing fees)

**WARNING:** While 37 CFR 1.17(a), (b), (c) and (d) deal with extensions of time under § 1.136(a) this authorization should be made only with the knowledge that: "Submission of the appropriate extension fee under 37 CFR 1.1367(a) is to no avail unless a request or petition for extension is filed." (Emphasis added). Notice of November 5, 1985 (1060 O.G. 27).

- ☐ 37 CFR 1.18 (issue fee at or before mailing Notice of Allowance, pursuant to 37 CFR 1.311(b))

Respectfully submitted,

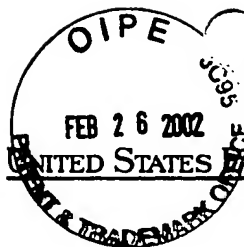
Date: February 8, 2002

  
\_\_\_\_\_  
Joseph H. Golant  
Reg. No. 24,210  
Attorney for Applicant

Tel. No.: (312) 782-3939

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Suite 3500  
77 West Wacker Drive  
Chicago, Illinois 60601-1692

File: 080743-235001



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COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/007,275	10/26/2001	Van Den Berg	080743.Q.DM11

CONFIRMATION NO. 5284

FORMALITIES LETTER



\*OC000000007293211\*

Ronald A. Sandler  
Jones, Day, Reavis & Pogue  
77 West Wacker Drive  
Chicago, IL 60540

Date Mailed: 01/10/2002

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 65.

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

03/04/2002 MBERHE 00000104 10007275

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65.00 DP